

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**v.**

**No. CV 16-0370 JB/LAM  
CR 11-2660 JB**

**DAVID EMANUEL HENRY,**

**Defendant.**

**ORDER**

**THIS MATTER** is before the Court, *sua sponte* under rule 4(b) of the Rules Governing Section 2255 Cases, on Defendant's Motion Under 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct Sentence (*CV Doc. 9; CR Doc. 55*). The Court will direct the United States to answer Defendant's motion.

**IT IS HEREBY ORDERED** that the Clerk is directed to forward to the United States of America a copy of Defendant's Motion Under 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct Sentence and supporting papers and exhibits, if any, together with a copy of this Order;

**IT IS FURTHER ORDERED** that, **within twenty-three days of entry of this Order**, the United States answer Defendant's § 2255 motion.

**IT IS SO ORDERED.**

  
**LOURDES A. MARTINEZ**  
**UNITED STATES MAGISTRATE JUDGE**